

ORDINANCE #2022-10
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXVI, SECTION 7.4 ENTITLED
“SIDEWALKS” AND ADDING NEW SECTION 7.7
ENTITLED “SIGHT TRIANGLE”

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to amend and supplement its existing Borough Code concerning the Development Regulations, to address public and internal sidewalks as well as addressing sight triangles to improve safety in the Borough.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

SECTION 1. Chapter 26-7.4 entitled “Sidewalks” be and is hereby deleted and replaced with the following:

26-7.4 Sidewalks.

- a. Public sidewalks shall be four (4) feet wide and located within the street right-of-way.
- b. The street right-of-way outside the curbline shall be graded to produce a slope of one-quarter (1/4) inch per foot, sloping towards the curb. This slope shall apply to both the sidewalk and grassed areas.
- c. The Planning Board shall have jurisdiction over “internal sidewalks” as respects any application for development of any property in the Borough.
 - i. “Internal sidewalks” shall be defined as any sidewalk or walkway, regardless of material used to construct the same, on a privately owned property and as distinguished from Public Sidewalks which are located in a street right-of-way.
- d. The main walkway leading to the home shall be no less than four (4) feet wide and any ancillary walkways shall be sized in a manner appropriate to the massing of the building. They shall be of appropriate materials in keeping with historical aesthetics and shall be in proportion with the massing of the home/structure.

SECTION 2. There shall be hereby added a new section, Chapter 26-7.7 entitled “Sight Triangle” as follows:

26-7.7 Sight Triangle (New, this ordinance)

- a. On all corner lots in all zones in the Borough, there shall be an unobstructed sight triangle formed by measuring thirty (30) feet along each curb line from the point of intersecting curb lines at such corner and connecting such points to form a triangular area.
- b. No fences, nor any structure or plantings of any type that might impair the vision of motor vehicle traffic, may be erected within the sight triangle. A sight triangle shall contain no structures, retaining walls, signs, plantings or any other vision

obstructing objects which are greater than thirty-six inches (36") inches in height as measured from the pavement immediately adjacent to the curb at the point of intersecting street lines. Trees shall be permitted whose branches are trimmed away to a height of at least eight (8) feet above the curb level as measured from the point of intersecting street lines. Property owners shall be responsible for maintaining all vegetation in conformance with the aforesaid thirty-six inches (36") inch height restriction and eight (8') foot tree branch clearance.

- c. Nothing herein shall permit the parking or storage of any vehicle on a corner lot property, which obstructs, impairs or obscures vision of motor vehicle traffic at an intersection, as determined by the Chief of Police.

SECTION 3. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 4. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 5. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 6. This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. McLoughlin -AYE; Mayor McLaughlin -AYE.

APPROVED: April 12, 2022

ADOPTED: May 24, 2022

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of an Ordinance adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on May 24, 2022.

Donna M. Campagna

Donna M. Campagna, RMC
Borough Clerk/Administrator